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September 9, 2021

BY CM/ECF ONLY

Hon. Jil Mazer-Marino
U.S. Bankruptcy Court, EDNY
Conrad B. Duberstein Courthouse
271-C Cadman Plaza East - Suite 1595
Brooklyn, NY 11201-1800

**Re: David J. Doyaga, Sr., Solely as Chapter 7 Trustee of the estate of
Harold Tischler v. Linda Tischler, LTATMTJT531816 LLC and
Harold and Linda Tischler LLC, Adv. Pro. No. 21-01050-jmm
Request to Note the Defendants' Default**

Dear Judge Mazer-Marino:

The undersigned is counsel to David J. Doyaga, Sr., the Plaintiff-Trustee (the "Trustee") in the above-referenced adversary proceeding. Please allow this letter to serve as the Trustee's request to note the above-captioned Defendants' (the "Defendants") default.

At the pre-trial conference held on August 10, 2021, the undersigned agreed not to ask this Court to note the Defendants' default unless the Defendants' counsel, Mr. Barry Feerst, Esq., filed a notice of appearance in this adversary proceeding.

On August 11, 2021, Mr. Feerst filed a notice of appearance in the lead bankruptcy case (Bankr. Case No. 15-44128-jmm) only. On August 16, 2021, the undersigned contacted Mr. Feerst and advised him, among other things, that he incorrectly filed his notice of appearance in the lead bankruptcy case and that if he did not file a notice of appearance in the instant adversary proceeding, the Trustee would request that the Court note the Defendants' default.

Hon. Jil Mazer-Marino
September 9, 2021
Page 2 of 2

As of the drafting of this letter, Mr. Feerst has failed to file a notice of appearance in this instant adversary proceeding and has failed to communicate with the undersigned.

Accordingly, as discussed at the August 10, 2021 pre-trial conference, and to prevent any further delay by the Defendants and Mr. Feerst, the Trustee respectfully requests that the Court note the Defendants' default and provide the Trustee with a return date for his motion for default judgment. Thank you.

Respectfully submitted,

/s/ Alex E. Tsionis
Alex E. Tsionis

Cc: Barry R. Feerst, Esq.
(barry@brfesq.com)